

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:02-CR-90-01-F

By order of February 9, 2009 [DE-38], the undersigned denied defendant, Clyde Dial, Jr.'s Motion for Reduction of Sentence [DE-33] pursuant to 18 U.S.C. § 3582(c)(2). The Fourth Circuit Court of Appeals affirmed that order by unpublished opinion [DE-49]. *See United States v. Dial*, No. 09-6328 (4th Cir. March 25, 2010). Dial filed the instant Motion for Reconsideration [DE-53] on September 22, 2010, seeking a second bite at his § 3582(c)(2) motion.

Dial's Motion for Reconsideration [DE-53] is DENIED, both procedurally, because the subject order is final having been affirmed on appeal, and substantively, because the motion lacks merit.

SO ORDERED.

This 24th day of September, 2010.

James C. Fox
JAMES C. FOX
Senior United States District Judge